

COUNCIL PROCEEDINGS FOR FEBRUARY 10, 2003

Meeting called to order at 7:00 P.M. by Mayor Carpenter.

Pledge of Allegiance led by Councilmember JoAnn Potts.

PRESENT: Mayor Laura Carpenter; Councilmembers – Pat Jacobson, Frank Lukacs, Julie Miller, Jason Nielsen, JoAnn Potts, and Charles Zuhlke; City Clerk Christine Lee, City Manager Clint Holmes, and City Attorney Sally Miller.

ABSENT: None.

CORRECTION AND APPROVAL OF MINUTES:

Motion by CM Lukacs, second by CM Miller, to approve the Minutes of January 27, 2003 as presented. Motion Carried.

PAY BILLS:

Motion by CM Jacobson, second by CM Nielsen, to pay the bills as presented in the following funds: General -\$11,051.23, Payroll - \$11,580.21, Sanitary Sewer - \$10,006.59, Major Street - \$3,994.48, Local Street - \$1,496.47, and Investment - \$14,293.27. Motion Carried.

OLD BUSINESS:

1. City Ordinance Chapter 5 Work Session Scheduling: Pending.
2. Rezoning Request – Keith Muxlow: Pending

PUBLIC QUESTIONS AND COMMENTS:

Gary Abel, 4094 Third Street, informed the Council that the company that he works for does ditch work, underground work, etc., and stated that if the City was going to do any of this kind of work, such as behind the Bullock property, that his company would like to do the work. City Manager Holmes informed him that he would put his company on the bid list, but until the lawsuit of Bullock vs City of Brown City is resolved, no work will be done in that area. The outcome will determine who is responsible, if it is the City or if it is a private property issue.

PERSONAL APPEARANCES: None.

PUBLIC HEARING: None.

ORDINANCES: None.

RESOLUTIONS: None.

PETITIONS AND COMMUNICATIONS:
Preapplication Building Permits – None.

COMMITTEE REPORTS:

1. Police (Miller)- None
2. Tax and Finance (Jacobson)- None
3. Personnel (Zuhlke)- None

CM Zuhlke wanted to know if the DPW employees receive a clothing allowance. City Manager Holmes and DPW Head Kenny said that they receive one jacket and one coverall as needed.

4. Water and Sewer (Nielsen)- None
5. Streets and Sidewalks (Lukacs) - None

CM Lukacs stated that the state highway sign in front of the bank is loose.

6. Building and Grounds (Potts) - None

TREASURER'S REPORT:

1. Tax Collection Status.

City Treasurer Walters informed the City that she collected \$123,205.17 in total taxes to date. Total money in Dog Licenses \$317.50, of which \$36.00 will go to the City. Third payment of taxes collected \$95,504.77 with payments made to City of Brown City \$36,462.50, Sanilac County Treasurer \$27,002.87, Brown City Schools \$26,468.83, Sanilac ISD \$5,600.57. Received total payment of 2001 Personal Property tax \$661.20, returned overpayment of 2001 Personal Property tax of \$27.55 to tax payer. Interest received in tax account for month of January \$279.35. Also enclosed was a copy of a letter that she will be sending out on the 16th of this month. State law states that she is to inform all 2002 Personal Property tax owners that the tax is due on the 28th of this month.

DPW REPORT: None.

ATTORNEY'S REPORT: None.

CITY MANAGER'S REPORT:

1. **Economic Development:** Paperwork requesting a grant for \$24,000 from the Michigan Economic Development Corporation (MEDC) for infrastructure improvements was forwarded to Lansing on February 5th.

The proposed project is located on the northwest corner of Main and St Marys Streets. Package included the required letter of intent from the owner. Anticipate a decision from MEDC concerning our request within the next few weeks.

- 2. Chapter 8 – Zoning Ordinance:** Copies of the final (Planning Commission-approved) draft of Chapter 8 and McKenna’s initial review are included in the packets of the Buildings and Grounds Committee. Recommend scheduling a meeting to review this 142-page Ordinance and incorporate any changes recommended by the Committee. A meeting for the Building and Grounds Committee is set for February 18, 2003 at 7:00 P.M.
- 3. Main Street Speed Study:** A representative from MDOT and the Michigan State Police met with the City DPW, Police Chief and myself for about an hour on February 5th. A copy of the study is in your packets. At the request of the City, MDOT tracked speeds on Main Street last October and compared the results with a similar study conducted in February 1993. They then looked at speeds in the 85th percentile of drivers and determined they were within 5 MPH of the posted speed limits. MDOT also reviewed all of the traffic accidents that have taken place on Main Street in the past five years (42 total). MDOT determined that lowering the speed limit would not significantly improve safety. The City then requested to lower the speed limit on the east end of Main Street because it is primarily residential. This request was also declined. MDOT will study installing a second school crossing at Main and James Streets. The City can have the MDOT do another tracked speed on Main Street in the summer.
- 4. Well Head Protection:** Ron Holben of Mannik & Smith continues to gather information in support of this project. Records have been reviewed at City Hall and in Sandusky and Lapeer. The next step is creation of an informational/educational brochure for mailing to City residents and to property owners living within two miles of City center. Anticipate property owner interviews and field inspections to begin by mid- to late-March.
- 5. Welch Vs. City of Brown City:** Lawyers for both sides met with Judge Teeple on February 6th at the Circuit Court. The Court granted an adjournment until May 6th.

- 6. Safety Sign:** A resident of Autumn Gold Apartments has requested the City install a sign at the east end of Autumn Gold Street that says “deaf child.” The DPW has ordered the sign.

Motion by CM Miller, second by CM Jacobson, to install a deaf child sign at the east end of Autumn Gold Street. Motion Carried.

- 7. Manogue Subdivision:** The owners of the proposed subdivision requested some additional information. The City has already agreed to negotiate in good faith possible cost sharing for the installation of a replacement sewer line extending south in the vicinity of 4165 Maple Street. They have requested that the installation of manholes and fire hydrants be included in the negotiations. They anticipate having an estimate on the cost of the sewer line installation within the next two weeks. They also asked if the City had any restrictions about using LP gas until natural gas lines could be installed (the City has no such restriction).

- 8. DDA Loan:** The DDA loan to Little Texas Party Store has been has been paid in full, and the account has been closed.

- 9. DDA Loan Payment:** Many years ago the DDA received a loan to purchase property just north of the Harrington Inn. The property was cleaned up and converted into a City parking lot. Apparently only the interest, and not the principal, has been paid on this loan for quite some time. The current balance owed is about \$6,200. The DDA has agreed to pay \$3,200 and requests the City pay the remaining \$3,000 since they are the current owner. How does the Council wish to proceed?

Motion by CM Lukacs, second by CM Jacobson, to pay the remaining \$3,000 since the City is the current owner. Motion Carried.

- 10. Treasurer’s Computer:** The City Treasurer has requested a computer to store records on and to reduce the competition for the bookkeeper/payroll computer. Recommend using Dave’s computer for Channel 6/Treasurer and replace his with a new one. Recommend using cable franchise fees to pay for the new machine.

Motion by CM Miller, second by CM Zuhlke, to purchase a new computer using franchise fees to pay for the new machine. Motion Carried.

- 11. Travco Industrial Park:** The City noted that a tenant of the Industrial Park was dumping chemicals into the storm drain. DEQ was notified and have directed the tenant to correct the problem.

MAYOR'S REPORT:

Peck will be holding their Centennial celebration on June 20, 21, and 22. They wanted to know if the City wanted to enter an entry in the parade.

CM Jacobson said that there is an old chair on First Street near the corner of James that needs to be removed.

CM Potts stated that the sign that belongs to the Sutton Barbershop needs to be moved back from the curb (south) about four to six feet (4' to 6').

Motion by CM Jacobson, second by CM Miller, to adjourn the meeting at 7:26 P.M. Motion Carried.

Respectfully Submitted,

Christine Lee
City Clerk